



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1395-00

9 August 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former commissioned officer in the United States Navy filed enclosure (1) with this Board requesting a better characterization of service then the discharge under honorable conditions issued on 10 November 1943. She also requests that the statement of service, issued on 9 August 1999 at the National Personnel Records Center, be corrected to show that she was discharged on 10 November 1943 vice on 31 May 1943.

2. The Board, consisting of Mr. Taylor, Mr. Kastner and Mr. Neuschafer, reviewed Petitioner's allegations of error and injustice on 1 August 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although it appears that enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. On 10 July 1942 Petitioner was commissioned an ensign in the Nurse Corps, USNR and reported to active duty on 6 October 1942. On 31 May 1943 she was discharged for the purpose of accepting a commission in the Regular Navy. On 10 November 1943 she was discharged under honorable conditions because of marriage.

d. The Board is aware that at the time, officers in

Petitioner's situation were routinely discharged under honorable conditions and such a discharge was not considered to be derogatory in any way.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes that Petitioner was properly discharged under regulations in effect in 1943. However, the Board also notes that a discharge under honorable conditions may have questionable connotations. The Board concludes that no useful purpose is now served by the discharge under honorable conditions and the characterization of service should now be changed to honorable.

It is clear that Petitioner was only discharged on 31 May 1943 due to her change in status from USNR to USN, and continued to serve on active duty until 10 November 1943. Therefore, her request for a change in the date of discharge can be accomplished administratively when the Navy Personnel Command issues the corrective discharge documentation and action by this Board is not required.

RECOMMENDATION:

- a. That Petitioner's naval record be corrected to show that on 10 November 1943 she was issued an honorable discharge vice the discharge under honorable conditions now of record.
- b. That this Report of Proceedings be filed in Petitioner's naval record.
- c. That no action be taken on Petitioner's request for a change in the date of her discharge.
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby

announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

Robert D. Jeelman

For W. DEAN PFEIFFER
Executive Director